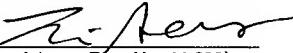


Amendment in Response to Non-Final Office Action

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: December 16, 2008 Signature:


(Lisa Adams, Reg. No. 44,238)

Docket No.: 101896-251 (DEP5318)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Michael A. Slivka et al.

Application No.: 10/709,796

Filed: May 28, 2004

For: NON-FUSION SPINAL CORRECTION
SYSTEMS AND METHODS

Confirmation No.: 3795

Art Unit: 3733

Examiner: M. C. Hoffman

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

Dear Madam:

This paper is in response to the Office Action dated September 19, 2008.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.